

# STATE OF WISCONSIN

# Senate Journal

## Ninety–Fifth Regular Session

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WEDNESDAY, September 12, 2001

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The Chief Clerk makes the following entries under the above date.

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### INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

#### Senate Resolution 6

Relating to: the life and public service of Jim Besson, mayor of Greenfield.

By Senators Lazich, Burke, Huelsman, Plache, Kanavas and Welch.

To committee on **Senate Organization**.

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### INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

#### Senate Bill 239

Relating to: the valuation of a state employee's accumulated sick leave credits for the payment of health insurance premiums under a group health insurance program administered by the group insurance board.

By Senators Risser, Burke, Plache, Hansen and Schultz; cosponsored by Representatives Berceau, Boyle, Pocan, Musser, Turner, J. Lehman, Black, Miller, Ryba and Sykora.

To committee on **Universities, Housing, and Government Operations**.

#### Senate Bill 240

Relating to: designating STH 122 as the Walt Bresette Memorial Highway.

By Senators Jauch, Moore, Burke and Baumgart; cosponsored by Representatives Sherman, Stone, Plouff, Staskunas, Ryba, Young, Turner, Williams, Bies, Berceau, Coggs, Black, Miller, J. Lehman, Boyle, Lippert, La Fave, Musser, Pocan, Richards, Sykora and Bock.

To committee on **Insurance, Tourism, and Transportation**.

#### Senate Bill 241

Relating to: designating the bridge on I 43 across the Fox River in the city of Green Bay as the Leo Frigo Memorial Bridge.

By Senators Cowles and Hansen.

To committee on **Insurance, Tourism, and Transportation**.

#### Senate Bill 242

Relating to: a certain highway improvement project on USH 51 in the city of Madison.

By Senator Erpenbach; cosponsored by Representative Travis.

To committee on **Insurance, Tourism, and Transportation**.

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### REPORT OF COMMITTEES

The committee on **Human Services and Aging** reports and recommends:

#### Senate Bill 77

Relating to: requiring the department of workforce development to submit to the governor, the joint committee on finance, the department of administration, and certain standing committees a statewide plan for providing employment and support services to low-income, noncustodial parents.

Passage.

Ayes, 7 – Senators Robson, Moore, Wirch, Hansen, Roessler, Welch and Kanavas.

Noes, 0 – None.

#### Senate Bill 91

Relating to: federal waivers to waive certain work requirements under the food stamp program.

Passage.

Ayes, 4 – Senators Robson, Moore, Wirch and Hansen.  
Noes, 3 – Senators Roessler, Welch and Kanavas.

Judith Robson  
Chairperson

The committee on **Labor and Agriculture** reports and recommends:

LEIPOLD, CRAIG L., of Racine, as a member of the State Fair Park Board, to serve for the interim term ending May 1, 2002, and for the full term ending May 1, 2007.

Confirmation.

Ayes, 4 – Senators Hansen, Decker, Baumgart and Harsdorf.

Noes, 0 – None.

David Hansen  
Chairperson

**PETITIONS AND COMMUNICATIONS****THE STATE OF WISCONSIN  
OFFICE OF THE GOVERNOR****EXECUTIVE ORDER #23*****Relating to a Proclamation that the Flag of the United States and the Flag of the State of Wisconsin be Flown at Half-Staff Due to Terrorist Attacks on the United States***

**WHEREAS**, on September 11, 2001, a series of vicious and cowardly terrorist attacks claimed the lives of numerous innocent and unsuspecting United States citizens; and

**WHEREAS**, the people of the State of Wisconsin are compassionate people who care deeply about their fellow Americans; and

**WHEREAS**, the people of the State of Wisconsin, with heavy hearts, mourn the loss of all of the men, women and children who died as a result of these cowardly acts; and

**WHEREAS**, the people of the State of Wisconsin wish to commend and honor the bravery exhibited by all emergency and volunteer personnel who assisted in rescue, evacuation and medical assistance efforts; and

**WHEREAS**, the people of the State of Wisconsin offer their prayers and sympathies to all persons and families affected by this tragedy;

**NOW, THEREFORE, I, SCOTT McCALLUM**, Governor of the State of Wisconsin, by the authority vested in me by Federal and State law, do hereby order that the flag of the United States and the flag of the State of Wisconsin be flown at half-staff at all buildings, grounds and military installations of the State of Wisconsin equipped with such flags beginning forthwith and ending at sundown on Friday, September 14, 2001.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this eleventh day of September in the year two thousand and one.

SCOTT McCALLUM  
Governor

**BY THE GOVERNOR:**

DOUGLAS LA FOLLETTE  
Secretary of State

**State of Wisconsin  
Public Service Commission**

August 23, 2001

The Honorable, The Senate:

Enclosed is a copy of the annual report the Public Service Commission (Commission) recently submitted to the legislature as provided for in Wis. Stat. s. 1.11(2)(j). It reports on the number of environmental assessments and environmental impact statements prepared by the Commission between July 1, 2000 and June 30, 2001.

If you have any questions on this report, please contact our Environmental Affairs Coordinator, Kathleen Zuelsdorff, at (608) 266-2730 or e-mail: [zuelsk@psc.state.wi.us](mailto:zuelsk@psc.state.wi.us).

Sincerely,

AVE M. BIE  
Chairperson

**State of Wisconsin  
Department of Employment Relations**

August 30, 2001

The Honorable, The Senate:

I am pleased to submit the State Council on Affirmative Action Report for July 1, 2000, to June 30, 2001. The report includes accomplishments for the past year and identifies Council direction for the future.

Additional copies may be obtained from the Department of Employment Relations, Division of Affirmative Action, 345 West Washington Avenue, Madison, Wisconsin 53703.

Please contact Greg Jones, Administrator of the Division of Affirmative Action, at 266-3017 or Email: [Greg.Jones@der.state.wi.us](mailto:Greg.Jones@der.state.wi.us) if you have any questions or need additional information regarding the report.

Sincerely,

GREGORY C. JONES  
Administrator

**State of Wisconsin  
Legislative Audit Bureau**

September 11, 2001

The Honorable, The Legislature:

At the request of several legislators, we have completed a review of Brown County's financial condition. Concerns about the county's financial condition were raised in late 2000, when county officials projected a \$3.9 million budget deficit for 2001 and larger deficits in subsequent years. In mid-2001, the county revised its budget estimates and projected a smaller deficit for 2002, as well as for future years. Nevertheless, Brown County is likely to face financial challenges in the future.

Brown County's total expenditures have grown by 27.1 percent from 1995 to 1999. Despite this substantial increase, its 1999 per capita expenditures have, in most cases, been typical of counties with populations over 100,000. In addition, Brown County's financial condition has been satisfactory since 1995: the county had a surplus in its general fund for four of the past six years; it has had an adequate undesignated balance in its general fund at year-end; it has a low level of outstanding debt; and its bond rating has been "Aa1," the second-highest attainable.

In 2001, Brown County's corrections expenditures are expected to increase significantly, largely as the result of the June opening of a new jail. We estimate that costs associated with housing inmates in 2001 may be as much as \$20 per day more than was spent for housing inmates in 2000, when many inmates were housed in out-of-county facilities.

Brown County provides more services than most other counties. To address the county's projected budget deficits in the future, county officials will need to either control expenditures or enhance revenues. We have identified several areas they may wish to consider.

We appreciate the courtesy and cooperation extended to us by officials of Brown County. The county's response is Appendix 2.

Sincerely,

JANICE MUELLER  
State Auditor

**State of Wisconsin  
Legislative Audit Bureau**

September 7, 2001

The Honorable, The Legislature:

We have completed a review of the Environmental Cooperation Pilot Program, which was established by **1997 Wisconsin Act 27**. This pilot program, operated by the Department of Natural Resources (DNR) is intended to provide increased flexibility

for businesses in complying with environmental regulations, while maintaining existing levels of environmental protection. The Legislative Audit Bureau is required by statutes to monitor and report annually on this pilot program.

The program allows DNR to sign up to ten cooperative agreements with businesses. No cooperative agreements were established during the program's first two years. Of the nine companies that submitted letters of intent to joint the program, three have withdrawn or chosen to pursue their objectives within existing regulations. In February 2001, an agreement with Wisconsin Electric Power Company became the first to be executed under the program. Agreements with the remaining five companies are in various stages of development.

Both DNR staff and program participants identified challenges associated with the Environmental Cooperation Pilot Program. These challenges include encouraging businesses to participate despite the time required to advance through the application process and reach a signed agreement, the uncertainty of the final outcome for program participants, and the process involving the federal Environmental Protection Agency. Addressing these challenges will be important because the Legislature will likely be asked to consider a new flexible environmental management program, known as Green Tier, which has been proposed by a DNR-appointed committee to enhance the environmental performance of companies.

We appreciate the courtesy and cooperation extended to us by DNR during our review.

Sincerely,  
JANICE MUELLER  
State Auditor

**State of Wisconsin  
Legislative Audit Bureau**

September 5, 2001

The Honorable, The Senate:

We have completed a financial audit of the Mendota and Winnebago Mental Health Institutes for fiscal year 1999-2000, at the request of the Department of Health and Family Services. We are able to provide unqualified opinions on the Institutes' financial statements. The financial statements show that, on an accrual basis, Mendota Mental Health Institute had net income of \$2.8 million and Winnebago Mental Health Institute had net income of \$3.0 million.

For several years, the Department did not have an adequate system to accumulate and summarize information on patient revenues and accounts receivables. In January 1999, the Department began implementing a new \$525,000 billing and accounting system; however, its automated billing functions are not yet properly working, which has resulted in delays in billing and collection activities. The Department is taking reasonable steps to solve the problems with the system and reduce the delays, which we will continue to monitor in our future audits of the Institutes. In addition, we recommend improvements for the Department's process for developing and documenting estimates of patient revenues and receivables.

Copies of the audit report have been distributed to members of the joint Legislative Audit Committee and those required by law to receive them. If you are interested in receiving a copy of this report, please contact our office and request report 01-14. The report is also available on line at [www.legis.state.wi.us/lab/windex.htm](http://www.legis.state.wi.us/lab/windex.htm).

Sincerely,  
JANICE MUELLER  
State Auditor

**State of Wisconsin  
Elections Board**

September 5, 2001

The Honorable, The Legislature:

Enclosed is a report of the State Elections boards describing impediments to voting faced by elderly and disabled electors. This report has been prepared pursuant to Section [5.25\(4\)\(d\)](#), Wisconsin Statutes. The Elections Board is providing it to you for distribution to the appropriate standing committee of the legislature as directed by Section [13.172 \(3\)](#), Wisconsin Statutes.

Additional copies have been prepared for distribution to representatives of appropriate advocacy groups and individuals on our subscription list. The report is also available on our website: <http://elections.state.wi.us/>.

Sincerely,

KEVIN J. KENNEDY  
Executive Director

Referred to committee on **Universities, Housing and Government Operations**.

**State of Wisconsin  
Ethics Board**

September 11, 2001

The Honorable, The Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us/>

Carey, Ray **Single Sales Factor Coalition, LLC**

Longmire, Erin **UST Public Affairs Inc**

Matthews, John **Single Sales Factor Coalition, LLC**

Thompson, Brett **Wisconsin Credit Union League**

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,

ROTH JUDD  
Director

**REFERRALS AND RECEIPT OF  
COMMITTEE REPORTS CONCERNING  
PROPOSED ADMINISTRATIVE RULES**

**Senate Clearinghouse Rule 01-044**

Relating to fire department safety and health.

Submitted by Department of Commerce.

Report received from Agency, September 11, 2001.

Referred to committee on **Labor and Agriculture**, September 12, 2001.

**Senate Clearinghouse Rule 01-066**

Relating to the 2001 migratory game bird season.

Submitted by Department of Natural Resources.

Report received from Agency, September 10, 2001.

Referred to committee on **Environmental Resources**, September 12, 2001.

The committee on **Human Services and Aging** reports and recommends:

**Senate Clearinghouse Rule 99–071**

Relating to the eligibility of nonparent relatives of children to receive kinship care benefits to help them provide care and

maintenance for the children.

Modifications requested, Ayes 6, Noes 1.

Ayes, 6 – Senators Robson, Moore, Wirch, Hansen, Roessler and Kanavas.

Noes, 1 – Senator Welch.

Judith Robson  
Chairperson